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314/04
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In Re the Application of:

MICHAELIS, Paul Roller

586,183

Serial No.: 09/286,183

Filed: June 1, 2000

Atty. File No.: 4366-16

For: "METHOD AND APPARATUS FOR
IMPROVING THE INTELLIGIBILITY
OF DIGITALLY COMPRESSED
SPEECH")Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Group Art Unit: 2654

JAN 28 2004

Examiner: STORM, DONALD L. Technology Center 2600

FIRST SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

RECEIVED

"EXPRESS MAIL" MAILING LABEL NUMBER: EL975242345US
DATE OF DEPOSIT: 1/23/04I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
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JAN 28 2004

TC 2600

TYPED OR PRINTED NAME: Amy S. Duarte

SIGNATURE:

Dear Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

Copies of the cited references:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

 Copies of the cited references are enclosed herewith. Copies of the cited references are not enclosed, in accordance with 37 C.F.R. 1.98(d),

because the references were submitted to the U.S. Patent and Trademark Office in prior application Serial No.

____ filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

 To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation. Examiner's attention is drawn to the following co-pending applications, copies of which have been or are being submitted:

Serial No. _____ filed _____

Serial No. _____ filed _____

 Other: Attached hereto is a copy of the Examiner's Report in Canadian Application No. 2,343,661 (Atty. No. 4366-16-CA), which is the Canadian counterpart of this U.S. patent application.

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in

the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith satisfies one of the following conditions ("X" indicates satisfaction):</p> <ul style="list-style-type: none"><input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or<input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or<input type="checkbox"/> Before the mailing date of a first Office Action on the merits, or<input type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Avaya Inc. Deposit Account 50-1602.</p>
<input checked="" type="checkbox"/>	<p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <ol style="list-style-type: none">(1) a final action under 37 C.F.R. 1.113 or(2) a notice of allowance under 37 C.F.R. 1.311, or(3) an action that otherwise closes prosecution in the application. <p>This Information Disclosure Statement is accompanied by:</p> <p><input checked="" type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Avaya Inc. Deposit Account 50-1602.</p> <p>OR</p> <p><input type="checkbox"/> Please charge Avaya Inc. Deposit Account 50-1602 in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Avaya Inc. Deposit Account 50-1602.</p>
<input type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <p><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)</p> <p>AND</p> <p><input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Please charge Avaya Inc. Deposit Account 50-1602 in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Avaya Inc. Deposit Account 50-1602. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

The undersigned certifies that:

Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

A copy of the communication from the foreign patent office is enclosed.

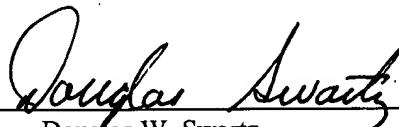
OR

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS P.C.

By:



Douglas W. Swartz

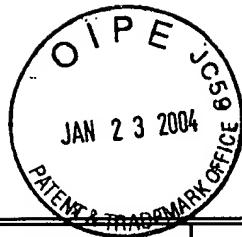
Registration No. 37,739

1560 Broadway, Suite 1200

Denver, Colorado 80202-5141

(303) 863-9700

Date: Jan. 23, 2004



SHEET 1 OF 1

FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 4366-16	SERIAL NO. 09/286,183
INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		APPLICANT MICHAELIS, Paul Roller		
		FILING DATE June 1, 2000	GROUP ART 2654	

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
							RECEIVED
							JAN 23 2004
							Technology Center 2000

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
	AA	1,333,425	09/21/89	Canada	G10L	009/14	X	

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.